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Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur

I. Introduction

1. The present report is submitted pursuant to paragraph 6 of Security Council resolution 1769 (2007), by which the Council requested me to report every 30 days on the implementation of paragraph 5 of the resolution, including on the status of financial, logistical and administrative arrangements for the African Union-United Nations Hybrid Operation in Darfur (UNAMID), and on the extent of progress by UNAMID towards achieving full operational capability. The report covers steps taken towards those goals during the month of January 2008. A separate report will be submitted pursuant to paragraph 21 of resolution 1769 (2007).

II. Security situation

2. Over the past two months, the security situation in Western Darfur deteriorated significantly, as Chadian regular forces and the Justice and Equality Movement (JEM) launched several attacks inside Sudanese territory. The situation in Northern and Southern Darfur remained relatively stable. Tensions inside camps of internally displaced persons and carjacking incidents continued. One week after the transfer of authority from the African Union Mission in the Sudan (AMIS) to UNAMID, the force faced its first armed attack.

3. Tension increased significantly along the Chad-Sudan border after approximately 74 vehicles carrying Chadian regular forces entered Western Darfur during December 2007 and linked up with JEM elements in the area of Jebel Moon (Western Darfur) late in December and early in January. A JEM-led force attacked several villages north of El Geneina in the Sirba area and threatened to attack El Geneina. The Government of the Sudan responded by reinforcing El Geneina with two additional battalions from Nyala and, by mid-January, started a ground and air military operation to push JEM north of El Geneina.

4. Simultaneously, Chadian regular forces targeted Chadian rebels in Darfur in a number of air attacks early in January. In one of the most serious incidents, on 6 January, the Chadian Air Force bombed the villages of Gokar and Wadi Rady, about 25 km south of El Geneina. Six Chadian rebels were killed and four seriously wounded. A total of 283 humanitarian staff based in the areas north and south of El Geneina that were affected by the fighting were forced to relocate to El Geneina

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and other places in Darfur, effectively halting aid to the civilian population. While many staff were able to restart projects south of El Geneina, Sudanese Armed Forces and National Security continued to refuse aid agencies access to areas currently under JEM control north of El Geneina.

5. On 30 December 2007, Government forces arrested six JEM members, including the JEM representative to the Ceasefire Commission, from the premises of the former AMIS Ceasefire Commission in the AMIS camp in El Fasher. A member of the JEM splinter faction Collective Leadership was also arrested on 13 January. The Government of the Sudan accused those arrested of having supported the JEM operations in Western Darfur. While condemning the recent military operations of JEM, UNAMID strongly urged the Sudanese authorities to release the detained rebels. On 17 January, following sustained dialogue between the mission and the Sudanese authorities, all JEM members, including a JEM representative who had been detained previously, were released.

6. Meanwhile, the situation in Northern and Southern Darfur saw a reduction in violence between the parties to the conflict during the reporting period. The ongoing internal consultations among rebel factions on the composition, structure and leadership of a united SLM/A have contributed to this relative calm. In Southern Darfur, tribal conflict and failed crop harvests in the Buram area forced up to 6,000 civilians to flee towards camps for internally displaced persons in Nyala.

7. Tensions inside camps for the displaced across Darfur remained high during the reporting period. In Northern Darfur, demonstrations driven by supporters of Abdul Wahid who object to the peace efforts have been ongoing. Tensions are further heightened by Government pressure for internally displaced persons to return to their homes, despite evidence that the security situation has not improved. Meanwhile in Western Darfur, internally displaced persons from Ardamata camp (near El Geneina) faced harassment and intimidation by armed militias who, following a disagreement over compensation for stolen animals, threatened to burn down their shelters and reportedly attacked civilians on numerous occasions.

8. Banditry and targeted attacks continued during the reporting period. During 2007, 154 vehicles of international organizations were taken, a trend that continued in 2008 with 30 vehicle hijackings including, as at 24 January, 23 fully-loaded food trucks of the World Food Programme (WFP). This has resulted in a significant reduction in the quality of humanitarian operations. There have been increasingly violent incidents. On 13 January, for example, a WFP driver was shot and killed in an attempted carjacking in El Geneina.

9. On 7 January, a UNAMID resupply convoy was shot at by Sudanese Armed Forces two km outside of Tine (Western Darfur). A Sudanese driver was injured while a diesel tanker and an armoured personnel carrier were severely damaged. A joint UNAMID-Government investigation is expected to determine the cause of the attack and identify measures to ensure that such attacks, which are counter to the stated policy of the Government of the Sudan to support UNAMID in its operations, do not happen again.

III. Mission strength

10. The top leadership of the mission is now fully deployed with the arrival in the Sudan on 18 January of the Deputy Joint Special Representative for Operations and Management. UNAMID is working with the African Union Commission and United Nations Headquarters to fill critical outstanding positions, such as the Deputy Police Commissioner for Operations, the Chief of Staff, and the Chief of Public Information.

11. On 31 January, the total strength of UNAMID was 9,126 uniformed personnel, including 7,476 military personnel, 1,510 police officers, and one formed police unit. A total of 1,256 civilians, representing 23 per cent of the authorized strength, were deployed as of that date.

IV. Force and police generation

12. Eighty per cent of the force headquarters staff positions were filled at transfer of authority (32 out of 190 staff officers required), and sector headquarters staffing, military observer posts, and liaison officer posts were filled at 80 to 90 per cent of the requirement. A large number of former AMIS officers who transitioned to UNAMID will end their tours of duty in the next few weeks. Priorities for the UNAMID military component include generating replacements for those officers, filling vacant positions and training sector headquarters staff.

13. The advance party of the Chinese Engineering Company, which deployed late in November, commenced work at the supercamp location in Nyala and will move to the site on a permanent basis early in February. In addition, mission-critical equipment for two battalions, including armoured personnel carriers, has arrived in the mission area and measures are currently being taken to register and hand over the equipment for operational use.

14. Deployment preparations (reconnaissance visits, negotiations on memorandums of understanding) were conducted by Egypt, Ethiopia and the Netherlands during the reporting period. Equipment for the main body of the Chinese Engineer Unit, the Egyptian Engineer, Signals and Transport Units, the Nigerian Level II hospital, as well as the Bangladeshi Multi-role Logistics Unit, is currently being loaded and shipped to the Sudan/Darfur. Pending arrival of the major equipment for these units at the deployment locations, there will be further personnel deployment at the end of February and the beginning of March 2008.

15. UNAMID police has absorbed 1,380 police officers from AMIS and 124 light and heavy support package personnel. Four out of 26 key police senior and specialists' posts authorized under United Nations contracts are now deployed. These include the Police Commissioner and Deputy Police Commissioner for Development.

16. Police officers have been appointed to key posts where necessary on an ad interim basis until more permanent staff have been selected and deployed and the Police Commissioner has issued general deployment orders for all UNAMID police personnel. Dissemination of information to all former AMIS police officers relating to the new service conditions following transfer of authority is ongoing and the

provision of conversion and induction training for police officers who had served in AMIS, as well as incoming UNAMID police personnel, is in process.

17. With regard to the formed police units, while reconnaissance visits by police-contributing countries, including Egypt, Indonesia, Nepal and Senegal, have been completed, the deployment of formed police units has been significantly delayed. Currently only the unit from Bangladesh is in the mission area, although the seven-week delay in the transportation of its equipment from Port Sudan to Nyala and the delay in the construction of the supercamp outside Nyala prevented the Bangladeshi unit from becoming operational before the end of January 2008.

V. Military and police activities

18. The UNAMID force headquarters is in the process of developing its operational procedures. For lack of office space at the current headquarters, force elements are split over four sites across El Fasher, which is hampering the development of cohesion and efficient working practices. Nonetheless, the co-location of police and force headquarters has led to significant progress in coordination and cooperation between the two components.

19. Reconfiguring the force to be able to meet its mandated tasks is being hampered by the slow pace of transfer of equipment from AMIS, in particular vehicles and radios, as well as the reliance on commercial Internet and Thuraya satellite telephones for command and control as well as routine operational communications. The African Union liquidation team is working closely with UNAMID to ensure the transfer of key assets.

20. Delays in the deployment of the UNAMID military and police units have limited the number, frequency and duration of patrols that could be undertaken and limited the early effect the force could demonstrate to the people of Darfur. The mission has had to focus much of its early efforts on building a firm base to ensure that UNAMID sites are secure and the mission is logistically sustainable. Nevertheless, UNAMID patrolling activities in support of the UNAMID police enabled the police to undertake firewood patrols and patrols in the more volatile camps.

21. The African Union Commission informed UNAMID on 6 January that it had received the funds required to cover the outstanding payments of mission subsistence allowance to party representatives of the Ceasefire Commission. Efforts are ongoing to complete the final payment by the end of January and remove movement representatives from UNAMID premises until the parties agree on an inclusive ceasefire regime during the ongoing political process.

22. The UNAMID police component continued to conduct outreach activities to the local community and police, engaging local representatives in camps of displaced persons, and to report and follow up on investigations by local police. Once an adequate number of officers is deployed, the police component will introduce 24-hour, seven-day patrols, which, together with the operationalized formed police unit, will enable UNAMID police to assume a proactive posture and contribute to the creation of trust and confidence with local police and the communities in Darfur.

VI. Legal arrangements

23. Negotiations between UNAMID and the Government of the Sudan on the status-of-forces agreement resumed on 14 January in Khartoum and the agreement was signed on 9 February in a ceremony attended by the Foreign Minister, Deng Alor, the Joint Special Representative, Rodolphe Adada, and members of the diplomatic community in Khartoum.

24. The United Nations and the African Union are in the process of finalizing the exchange of letters which will define the African Union-United Nations partnership with regard to UNAMID.

25. The African Union and the United Nations have signed a memorandum of understanding to extend catering services for UNAMID camps until 31 March 2008 and negotiations on other contractual arrangements are under way.

VII. Challenges to deployment

26. The deployment of UNAMID continues to face significant challenges in generating mandate-critical capabilities and securing land and clearance for goods and equipment.

27. The process of generating aviation and transportation units has not yet been successful. The Department of Peacekeeping Operations received pledges from Ethiopia for four attack helicopters, but other critical shortfalls remain. One month after transfer of authority, the mission is still short of pledges for one heavy and one medium ground transport unit, three military utility aviation units (18 helicopters in total), and additional attack helicopters to meet the full operational requirement (two attack helicopters in addition to the Ethiopian pledge). These capabilities are indispensable for the establishment of the full operational capability of UNAMID, which is required for the mission to effectively implement its mandate. The Department of Peacekeeping Operations is currently evaluating options such as inter-mission transfers to address part of the aviation shortfalls.

28. On 16 and 30 January 2007, the Permanent Mission of the United Kingdom to the United Nations hosted meetings with potential troop contributors to evaluate options for providing required aviation capabilities. Some informal proposals emerged as a result of those meetings and are being pursued by the Department of Peacekeeping Operations.

29. On the police side, many countries that are willing to contribute formed police units do not have the logistical capabilities required to fulfil the mandated tasks. Logistical support from those countries able to provide it is critical to strengthen the capabilities of formed police unit-contributing countries.

30. Following indications from the Government of the Sudan that the Nordic unit would not be accepted, Norway and Sweden withdrew the offer early in January. The loss of that unit seriously undermines the ability of UNAMID to establish and consolidate its presence quickly in its vast area of operations.

31. At the same time, the United Nations and the African Union are working with troop- and police-contributing countries to accelerate the pace of predeployment preparations, including reconnaissance and predeployment visits, negotiations on

memorandums of understanding, and the provision of load lists, that is, final lists of equipment and materiel to be transported to the area of operations. Only five load lists have been submitted by troop contributors of the 17 currently required. Delays in the submission of load lists result in deployment delays.

32. In the meantime, a memorandum of understanding between UNAMID and the Government for land in Zallingei was finalized in mid-January. Arrangements for the allocation of land and facilities for UNAMID bases in Nyala and El Geneina have not yet been finalized. At the same time, prolonged negotiations for additional land in El Fasher to allow the expansion of the UNAMID headquarters continue. The ARC compound in El Fasher can currently accommodate only 58 individuals and 600 offices.

33. In mid-January, the Sudanese Civil Aviation Authority provided clearance and certification for 12 UNAMID helicopters. Clearance for 12 additional United Nations-contracted helicopters is outstanding.

34. Customs clearance of UNAMID cargo continues to cause delays and pressure on UNAMID. Four Nigerian armoured personnel carriers that were impounded by National Security at Nyala airport were released late in January after being held for four weeks at the airport. The UNAMID accoutrements arrived in Khartoum in November 2007, but clearance for the release of those items was granted only in the week of 21 January.

35. The Government's cooperation is also required in extending visas for the contractors currently providing services to UNAMID troops in Darfur until a new contractor is in place. The bidding process for the new contract is already under way and will be finalized within the shortest possible time.

VIII. Financial arrangements

36. The General Assembly, by its resolution 62/232 of 22 December 2007, authorized the establishment of a special account for UNAMID and appropriated the amount of $1,275.7 million for the period from 1 July 2007 to 30 June 2008, an equivalent of $106.3 million per month, for its establishment.

37. As at 30 November 2007, the total outstanding assessed contributions for all peacekeeping operations amounted to $2,964.9 million.

IX. Peace negotiations

38. Since the launch of the Darfur peace talks in Sirte on 27 October, my Special Envoy, Jan Eliasson, and his African Union counterpart, Salim Ahmed Salim, have continued to consult with the parties to prepare for the substantive phase of negotiations. They conducted several visits to the Sudan to meet with representatives of the Government and the non-signatory movements, as well as with members of civil society. They also held consultations with the four regional partner countries (Chad, Egypt, Eritrea and the Libyan Arab Jamahiriya) in Eritrea and Egypt.

39. Efforts by the non-signatory movements to unify their political structures and military command have intensified since the opening of the talks. These efforts have

been conducted in Darfur and also in Juba under the auspices of SPLM. The movements have now coalesced around five major groupings: SLM/A-Unity, SLM/A-Abdul Wahid, SLM/A-Abdul Shafie, JEM-Khalil Ibrahim and the United Resistance Front (URF). Consultations are ongoing among some of those groups to agree on common positions and a common delegation for the talks. The Joint Mediation Support Team is actively engaged with those groups to assist them in this regard.

40. During a visit of the Special Envoys in January 2008, two of the five major movement groupings (URF and SLM/A-Unity) expressed their readiness to enter pre-negotiation talks under the auspices of the United Nations and the African Union. The Special Envoys are consulting with representatives of SLM/A-Abdul Shafie, JEM-Khalil Ibrahim and SLM/A-Abdul Wahid in an effort to obtain a similar commitment to the political process.

41. In the coming weeks, the mediation will continue to assist the movements in their preparations, including consultations on various substantive issues (security, power-sharing, wealth-sharing, land and humanitarian issues). The Joint Mediation Support Team is also continuing its work with UNAMID and the Darfur-Darfur Dialogue to set up civil society advisory forums. The forums will serve as the platform for engagement between the mediation and civil society organizations, internally displaced persons and native administration/traditional leaders.

42. The African Union and the United Nations are also seized of the need to appoint a Joint United Nations-African Union Chief Mediator who will be based in the Sudan full time to support the work of the Special Envoys. Selection for this critical function is being finalized together with the African Union.

43. The resolution of the crisis between the National Congress Party and SPLM bodes well for the representation of the Government of National Unity at the substantive negotiations. The format for the participation of Minni Minnawi, who is a signatory of the Darfur Peace Agreement, remains unresolved, however. The Special Envoys continue to engage all parties to resolve this issue.

X. Observations

44. I remain extremely concerned by the security situation on the ground. Humanitarian conditions and access to civilians in need of assistance have been severely undermined by recent hostilities between Government and JEM-Khalil Ibrahim forces in Western Darfur and the continued build-up of their forces in the area. In this regard, I condemn in the strongest possible terms the attacks on 8 February on civilians in the Western Darfur towns of Abu Suruj, Sirba and Seleia, which have caused an estimated 200 casualties and have led over 10,000 civilians to flee their homes and seek refuge across the border in Chad. Such brutal attacks on civilian towns, including aerial bombardments, represent grave violations of international humanitarian law and undermine prospects for peace and reconciliation.

45. In the light of the security conditions on the ground, the most urgent priority in Darfur is the establishment of a cessation of hostilities, with effective mechanisms for monitoring compliance and violations. To this end, I urge the Government and all parties to cooperate fully with the efforts of the Special Envoys to convene

negotiations as soon as possible. I reiterate my call on all parties to refrain from the use of force and to come to the negotiating table.

46. The situation in Chad and the deteriorating relations between the Sudan and Chad are also sources of grave concern and a serious impediment to a political settlement of the Darfur crisis. Normalization of the bilateral relationship is essential to the success of the peace process in Darfur and to the long-term prospect for peace in both countries. I condemn cross-border attacks and urge both countries to respect each other's territorial sovereignty and implement existing agreements of non-aggression.

47. I discussed the major outstanding issues on UNAMID deployment with President Al-Bashir on the sidelines of the African Union Summit in Addis Ababa on 31 January. With respect to the critical issue of the composition of the force, and the list of troop-contributing countries sent by the United Nations and the African Union to the Government of the Sudan on 2 October 2007, the President's response was not definitive. While the African Union and the United Nations are committed to continuing these discussions with the Government of the Sudan, the primary objective of the two organizations remains to deploy a balanced and impartial force, with the required capabilities and readiness to deploy in a timely manner. We have also sought to assemble a force which would unquestionably meet the "African character" criteria referred to in resolution 1769 (2007). Troop-contributing countries now require urgent confirmation from the Government of the Sudan that their contributions to UNAMID are welcome. The speed of UNAMID deployment depends critically on this issue being resolved as soon as possible.

48. The Under-Secretary-General for Peacekeeping Operations visited the region from 21 to 29 January in order to hold discussions with Government officials on the outstanding issues related to the deployment of UNAMID, and to survey the conditions under which the operation is deploying. On 27 January, the Under-Secretary-General travelled to Addis Ababa in order to meet, together with the African Union Commissioner for Peace and Security, Said Djinnit, with the Sudanese Under-Secretary of State, Mutrif Siddiq, to discuss outstanding issues related to UNAMID. The meeting confirmed the need for continuing and enhanced cooperation between the African Union and the United Nations and the Government with respect to the deployment of UNAMID.

49. The visit of the Under-Secretary-General to the mission confirmed the tremendous challenges that the mission faces in providing even a modest level of protection to civilians in Darfur. This is due to a number of factors, including the slow pace with which UNAMID military and police units are arriving in Darfur. The mission will not be in a position to effectively fulfil its mandate or meet the tremendous expectations of Darfur's civilians with the meagre human and material resources currently in the mission area.

50. We need to urgently demonstrate to the conflict-affected population of Darfur that UNAMID will bring a material improvement to their daily lives, or risk losing their confidence at this critical juncture in the life of the mission. To this end, I appeal to all UNAMID troop and police contributors to expedite the deployment of the units and assets that they have pledged to the Operation. I also urge Member States to provide the outstanding enabling units, including air assets, in order to permit UNAMID to achieve full operating capability.

51. In moving forward, it will also be essential for the Government to work with the African Union and the United Nations to facilitate the deployment of the mission and ensure the removal of impediments to the operations of UNAMID. I welcome, in this regard, the signing of the UNAMID status-of-forces agreement on 9 February and I look forward to the implementation of the agreement. Meanwhile, however, our efforts to support the implementation of resolution 1769 (2007) and help to end the suffering of millions of civilians in the region cannot succeed unless all parties to the conflict lay down their weapons and commit themselves to the path of dialogue. I urge them to do so without further delay.